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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

**NOTICE OF AGENDA FOR MATTERS SCHEDULED
FOR HEARING ON JUNE 29, 2017 AT 11:00 A.M.**

CONTESTED MATTERS

1. **10-04292; Picard v. Robert Roman**
 - A. Notice of Motion to Compel filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 6/14/2017) [ECF No. 87]
 - B. Trustee's Memorandum of Law in Support of His Motion to Compel Discovery Pursuant to Fed. R. Bankr. P. 7037(a)(3)(B) filed by Nicholas Cremona on behalf

of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 6/14/2017) [ECF No. 88]

- C. Declaration of Maximillian S. Shifrin in Support of The Trustee's Motion to Compel filed by Nicholas Cremona on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff (Filed: 6/14/2017) [ECF No. 89]

Objections Due: June 21, 2017

Objections Filed:

- D. Memorandum of Law In Opposition To The Trustee's Motion To Compel Discovery Filed By Helen Davis Chaitman On Behalf Of Robert Roman (Filed: 6/20/2017) [ECF No. 91]
- E. Declaration In Opposition To The Trustee's Motion To Compel Discovery Filed By Helen Davis Chaitman On Behalf Of Robert Roman (Filed: 6/20/2017) [ECF No. 92]

Reply Filed:

- F. Trustee's Reply Memorandum of Law In Support of His Motion to Compel Discovery Pursuant to Fed. R. Bankr. P. 7037(a)(3)(B) (Filed: 6/27/2017) [ECF No. 96]

Status: This matter is going forward as scheduled.

2. **08-01789; SIPC v. BLMIS**

- A. Notice of Hearing on Requests to Depose Bernard L. Madoff on "Day Two Deposition Topics" filed by David J. Sheehan on behalf of Irving H. Picard (Filed: 6/23/2017) [ECF No. 16219]

Related Filings:

- B. Notice of Request to Depose Bernard L. Madoff on "Day Two Topics" (10-04995 and all cases on Ex. A) filed by Helen Davis Chaitman on behalf of Sara Seims, as trustee of the Trust u/art Fourth o/w/o Israel Wilenitz, Trust U/ART Fourth O/W/O Israel Wilenitz, Evelyn Berezin Wilenitz (Filed: 5/30/2017) [ECF No. 16099]
- C. Notice of Request to Depose Bernard L. Madoff on Day Two Deposition Topics filed by Carole Neville on behalf of Dentons' Defendants (Filed: 5/30/2017) [ECF No. 16101]

- D. Notice of Request to Depose Bernard L. Madoff on Day Two Deposition Topics filed by Robert A. Rich on behalf of Patricia DeLuca, Karen M. Rich, Nancy Zraick, Edward A. Zraick, Jr.. (Filed: 5/31/2017) [ECF No. 16104]
- E. Notice of Request to Depose Bernard L. Madoff filed by Andrew B. Kratenstein on behalf of Malcolm H. Sage, Sage Associates, Ann M. Sage Passer, in her Capacity as Partner or Joint Venturer of Sage Associates and individually as Beneficiary of Sage Associates,, Martin A. Sage, in his Capacity as Partner or Joint Venturer of Sage Associates and individually as Beneficiary of Sage Associates; and, Malcolm Sage, in his capacity as Personal Representative of the Estate of Lillian M. Sage (Filed: 5/31/2017) [ECF No. 16105]
- F. Notice of Request to Depose Bernard L. Madoff filed by Andrew B. Kratenstein on behalf of Malcolm H. Sage, Ann M. Sage Passer, in her capacity as Partner or Joint Venturer of Sage Realty and individually as beneficiary of Sage Realty, Sage Realty, Malcolm Sage, in his capacity as Personal Representative of the Estate of Lillian M. Sage, Martin A. Sage, in his capacity as Partner or Joint Venturer of Sage Realty and individually as beneficiary of Sage Realty (Filed: 5/31/2017) [ECF No. 16106]
- G. Trustee's Letter Requesting Additional Deposition Testimony of Bernard L. Madoff Filed by David J. Sheehan on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC (Filed: 5/31/2017) [ECF No. 16109]
- H. Notice of Request to Depose Bernard L. Madoff on Day Two Deposition Topics filed by Daniel B. Besikof on behalf of Evenstad Family Defendants, Steven Fiterman, Susan Fiterman, Fiterman Investment Fund, Verdeway Investment Partners LLC (Filed: 5/31/2017) [ECF No. 16110]

Objections Filed:

- I. Letter re: Notices requesting Day 2 Deposition of Bernard L. Madoff filed by Marcy R. Harris on behalf of Barbara Picower, individually and as Executor of the Estate of Jeffry M. Picower, Capital Growth Company, Decisions Incorporated, Favorite Funds, JA Primary Limited Partnership, JA Special Limited Partnership, JAB Partnership, JEMW Partnership, JF Partnership, JFM Investment Companies, JLN Partnership, JMP Limited Partnership, Jeffry M. Picower Special Company, Jeffry M. Picower, P.C., The Picower Foundation, The Picower Institute of Medical Research, The Trust F/B/O Gabrielle H. Picower (Filed: 6/5/2017) [ECF No. 16129]
- J. Memorandum of Law in Opposition To Notices of Request To Depose Bernard L. Madoff On Day 2 Deposition Topics filed by David J. Sheehan on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC (Filed: 6/6/2017) [ECF No. 16135]

- K. Declaration of David J. Sheehan In Support of the Opposition to Notices of Request to Depose Bernard L. Madoff on Day 2 Deposition Topics filed by David J. Sheehan on behalf of Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC (Filed: 6/6/2017) [ECF No. 16136]

Responses Filed:

- L. Defendants' Memorandum in Further Support of Their Request to Depose Bernard L. Madoff on Day Two Deposition Topics [Defendants Listed on Exhibit A to Notice of Motion ECF 13603-1] filed by Helen Davis Chaitman on behalf of Sara Seims, as trustee of the Trust u/art Fourth o/w/o Israel Wilenitz, Trust U/ART Fourth O/W/O Israel Wilenitz, Evelyn Berezin Wilenitz (Filed: 6/26/2017) [ECF No. 16236]
- M. Declaration of Helen Davis Chaitman in support of Defendants' Memorandum in Further Support of Their Request to Depose Bernard L. Madoff on Day Two Deposition Topics [Defendants Listed on Exhibit A to Notice of Motion ECF 13603-1] Related document 16236 filed by Helen Davis Chaitman on behalf of Sara Seims, as trustee of the Trust u/art Fourth o/w/o Israel Wilenitz, Trust U/ART Fourth O/W/O Israel Wilenitz, Evelyn Berezin Wilenitz (Filed: 6/26/2017) [ECF No. 16237]
- N. Letter in reply to the Memorandum of Law in Opposition to Notice of Request to Depose Bernard Madoff on Day 2 Deposition Topics filed by Andrew B. Kratenstein on behalf of Malcolm H. Sage, Sage Associates, Ann M. Sage Passer, in her Capacity as Partner or Joint Venturer of Sage Associates and individually as Beneficiary of Sage Associates,, Ann M. Sage Passer, in her capacity as Partner or Joint Venturer of Sage Realty and individually as beneficiary of Sage Realty, Sage Realty, Martin A. Sage, in his Capacity as Partner or Joint Venturer of Sage Associates and individually as Beneficiary of Sage Associates; and, Malcolm Sage, in his capacity as Personal Representative of the Estate of Lillian M. Sage, Martin A. Sage, in his capacity as Partner or Joint Venturer of Sage Realty and individually as beneficiary of Sage Realty (Filed: 6/26/2017) [ECF No. 16243]
- O. Dentons Participating Customers' Response To Trustee's Opposition To Notice Of Request To Depose Bernard L. Madoff On Second Day Deposition Topics filed By Carole Neville On Behalf Of Dentons' Defendants (Filed: 6/27/2017) [ECF No. 16252]

Withdrawal Filed:

- P. Notice of Withdrawal of Request to Depose Bernard L. Madoff on Day Two Deposition Topics filed by Daniel B. Besikof on behalf of Certain Defendants Represented by Loeb & Loeb LLP (Filed: 6/28/2017) [ECF No. 16279]

Status: This matter is going forward as scheduled.

3. **08-01789; SIPC v. BLMIS—Discovery Disputes with Chaitman LLP**

- A. Trustee's Request for Rule 7007 Conference re adoption and application of Judge Maas's arbitration rulings across all similarly situated adversary proceedings and compelling defendants to provide reasonable dates for all depositions.
- Letter to Judge Bernstein requesting Rule 7007 Conference re adopting orders of Discovery Arbitrator filed by Edward John Jacobs on behalf of Irving H. Picard (Filed: 4/5/2017) [ECF No. 15667]
 - Letter to Judge Bernstein regarding various outstanding discovery issues in advance of the May 31, 2017 conference filed by Helen Davis Chaitman on behalf of Evelyn Berezin Wilenitz (Filed: 5/15/2017) [ECF No. 16006]
 - Trustee's Supplement to April 5, 2017 Letter filed by Edward John Jacobs on behalf of Irving H. Picard (Filed: 5/25/2017) [ECF No. 16079]
 - Supplemental Letter in Advance of May 31, 2017 Hearing Filed by Edward John Jacobs on behalf of Irving H. Picard (Filed: 5/26/2017) [ECF No. 16082]
- B. Trustee's Request for Rule 7007 Conference re quashing of subpoenas on 10 former BLMIS traders across all Chaitman LLP cases.
- Letter to Judge Bernstein requesting Rule 7007 Conference re quashing of Rule 45 subpoenas filed by Edward John Jacobs on behalf of Irving H. Picard (Filed: 3/21/2017) [ECF No. 15393]
 - Letter to Judge Bernstein regarding various outstanding discovery issues in advance of the May 31, 2017 conference filed by Helen Davis Chaitman on behalf of Evelyn Berezin Wilenitz (Filed: 5/15/2017) [ECF No. 16006]
 - Supplemental Letter in Advance of May 31, 2017 Hearing Filed by Edward John Jacobs on behalf of Irving H. Picard (Filed: 5/26/2017) [ECF No. 16082]
- C. Chaitman LLP's Request for Rule 7007 Conference re single date for service of rebuttal expert reports in all Chaitman LLP cases in which fact discovery open as of July 7, 2016.

- Letter to Judge Bernstein requesting Rule 7007 Conference re single date for service of rebuttal expert reports in all Chaitman LLP cases in which fact discovery open as of July 7, 2016 filed by Helen Davis Chaitman on behalf of Evelyn Berezin Wilenitz (Filed 3/2/2017) [ECF No. 15104]
- Letter to Judge Bernstein regarding Trustee's Opposition to Chaitman LLP's request for single service date for expert rebuttal reports filed by Edward John Jacobs on behalf of Irving H. Picard (Filed: 3/8/2017) [Adv. Pro. No. 10-04995, ECF No. 79]
- Letter to Judge Bernstein regarding various outstanding discovery issues in advance of the May 31, 2017 conference filed by Helen Davis Chaitman on behalf of Evelyn Berezin Wilenitz (Filed: 5/15/2017) [ECF No. 16006]
- Supplemental Letter in Advance of May 31, 2017 Hearing Filed by Edward John Jacobs on behalf of Irving H. Picard (Filed: 5/26/2017) [ECF No. 16082]

Status: Status conference

Dated: June 28, 2017
New York, New York

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